



Water Quality NewsFlash

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LA MS4 Permit – Regional Board releases documents on dry weather

bacteria TMDL – As discussed in recent *NewsFlashes*, the Los Angeles Regional Board is proposing to reopen the storm water permit regulating LA County and the associated cities. The Board's intent is to include provisions from the Santa Monica Bay Beaches Bacteria Dry Weather Total Maximum Daily Load (TMDL). During summer dry weather, the TMDL requires that there be no exceedances of bacteria water quality standards at the point where the storm drain effluent initially mixes with the receiving ocean water – known as the “wave wash”.

The Regional Board has now released tentative permit language including a Fact Sheet and Findings. The documents express the Board's frustration with the lack of progress on addressing the “non-storm water” discharges which still contribute to the exceedances after more than a decade and a half of program implementation. The Board states: “Permittees have never taken the initiative to submit a Receiving Water Limits Compliance Report, despite recurring exceedances of water quality standards.” It also notes that few Permittees have revised their management plans to address their chronic exceedances of water quality standards.

Similar to the other MS4 permits, the LA storm water permit requires that exceedances be reported to the Board and that the permittees must then review and revise their management plans to address these exceedances. This process constitutes the so-called “iterative approach” of bringing storm water into compliance with water quality standards. This approach differs from ordinary (non storm water) permits which generally translate water quality standards into numeric effluent limitations included within the permit. In reality, the iterative approach is seldom followed even though exceedances are ubiquitous at the point of discharge for a wide range of pollutants.

The Board's Tentative Findings states: “The iterative approach to regulating municipal storm water is not an appropriate means of implementing the SMB Summer Dry Weather WLAs [waste load allocations]...” The permit therefore establishes a numeric requirement (effectively zero) for exceedances in summer dry weather. The Board's expectation is that controls on illegal connections and possibly diversion or infiltration of dry weather flows will help meet the requirements. *Winter* dry weather bacteria WLAs do not go into effect until July 15, 2009, and so are not considered for inclusion in the permit at this time. The Wet Weather TMDL will presents even greater challenges. Posted: http://www.waterboards.ca.gov/losangeles/html/meetings/public_notices.html

Blue Ribbon Panel Report – Comment deadline extended – The *Storm Water Panel of Experts* issued a report on the feasibility of establishing numeric effluent limits or other quantifiable limits for stormwater permits (see *NewsFlash* 06-26). The deadline is now September 1. More information: <http://www.swrcb.ca.gov/stormwtr/index.html#news>

WQ NewsFlash is a weekly update of storm water and related news for the Department. *Verify information before taking action on these bulletins.* Contact Betty Sanchez, Betty_Sanchez@dot.ca.gov (916) 653-2115, or Fred Krieger, (510) 843-7889, fkrieger@msn.com with questions or to be added or deleted from e-mail list. Posted online at: <http://www.dot.ca.gov/hq/env/stormwater/publicat/newsflash/index.htm>